

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 13, 14, 16-21, and 23-29 are pending in this application. Claims 1-3, 5, 7-12, 15, and 22 are canceled without prejudice or disclaimer and Claims 13, 20, 23, and 25-29 are amended by the present amendment. No new matter is added.

In the outstanding Official Action, the drawings were objected to; Claims 26, and 28 were rejected under 35 U.S.C. §112, second paragraph; Claims 1-3, 5, and 7-29 were rejected under 35 U.S.C. §101; Claims 1, 12, and 15 were rejected under 35 U.S.C. §102(b) as anticipated by Wilkinson et al. (IEEE, Ref. No. 1997/382, hereinafter Wilkinson); Claims 2, 5, 7-11, 13, 14, 16-21, and 26 were rejected under 35 U.S.C. §103(a) as unpatentable over Wilkinson in view of Eneroth et al. (U.S. Patent No. 6,631,116, hereinafter Eneroth); Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over Wilkinson in view of Mendenhall et al. (U.S. Patent No. 6,341,198, hereinafter Mendenhall); Claims 22-24 were rejected under 35 U.S.C. §103(a) as unpatentable over Wilkinson in view of Eneroth and further in view of Yamane et al. (U.S. Patent No. 5,784,528, hereinafter Yamane); and Claims 25 and 28 were rejected under 35 U.S.C. §103(a) as unpatentable over Wilkinson in view of Yamashita et al. (U.S. Patent No. 5,696,557, hereinafter Yamashita) and further in view of Tappan (U.S. Patent No. 6,295,296).

With regard to the objection to the drawings, Claims 26 and 28 are amended to delete all “means plus function” elements. Accordingly, the objection to the drawings is believed to be overcome.

With regard to the rejection of Claims 26 and 28 under 35 U.S.C. §112, second paragraph, Claims 26 and 28 are amended to delete all “means plus function” elements.

Accordingly, it is respectfully submitted that Claims 26 and 28 are in compliance with all requirements under 35 U.S.C. §112, second paragraph.

With regard to the rejection of Claims 13, 14, and 16-19 under 35 U.S.C. §101, it is respectfully submitted that the method recited in Claim 13 provides a useful, concrete, and tangible result by forming an SDTI content package file from an SDTI signal, where the final SDTI content package file has *different content* from the SDTI signal. In a similar manner, Claim 25 provides a useful, concrete, and tangible result by forming an SDTI signal from an SDTI content package file, where the final SDTI signal has *different content* from the SDTI content package file.

With regard to Claims 20, 21, 23, 24, and 26-29, independent Claims 20 and 26 recite apparatuses that provide a useful, concrete, and tangible result by forming an SDTI content package file from an SDTI signal, where the final SDTI content package file has *different content* from the SDTI signal. In a similar manner, Claim 28 recites an apparatus that provides a useful, concrete, and tangible result by forming an SDTI signal from an SDTI content package file, where the final SDTI signal has *different content* from the SDTI content package file.

Accordingly, Applicant respectfully requests that the rejection of Claims 13, 14, 16-21, and 23-29 under 35 U.S.C. §101 be withdrawn.

With regard to the rejection of Claims 1, 12, and 15 under 35 U.S.C. §102(b) as anticipated by Wilkinson, Claims 1, 12, and 15 are canceled, making this rejection moot.

With regard to the rejection of Claim 13 under 35 U.S.C. §103(a) as unpatentable over Wilkinson in view of Eneroth, that rejection is respectfully traversed.

Amended Claim 13 recites in part:

receiving an SDTI signal, the SDTI signal including an SDTI Content Package having a System Item and one or more of a Picture Item, an Audio Item and an Auxiliary Item, the System, and the one or more of the Picture, Audio and

Auxiliary Items each comprising a start code, a word count indicating the number of bytes of data of the Item, one or more Element data blocks, and an Item header, preceding element data block, indicating the number of element data blocks in the item, and an end code;

reading the SDTI signal into a buffer;

detecting the start code and the end code for each of the System Item and the one or more of the Picture Item, the Audio Item and the Auxiliary Item;

removing the detected start and end codes identifying the Item type;

*inserting a Label in place of the start code, the label having a predetermined number of bytes, at least one byte identifying the Item,* and

providing in the System item metadata relating to the one or more of the Picture, Audio and Auxiliary Items in the content package.

Wilkinson merely describes the content of a conventional SDTI signal. However, it is respectfully submitted that Wilkinson does not teach or suggest “an SDTI content package” as recited in Claim 13, as Figure 2 of Wilkinson clearly includes “an end code” as recited in Claim 13. Therefore, as conceded in the outstanding Office Action,<sup>1</sup> Wilkinson cannot teach or suggest “inserting a Label in place of the start code, the label having a predetermined number of bytes, at least one byte identifying the Item” as recited in Claim 13.

The outstanding Office Action relied on Eneroth as describing this feature. However, Eneroth does not relate to the formation or manipulation of an SDTI signal or content package file. Eneroth relates to the formation of different length ATM cells in a telecommunications network. The outstanding Office Action asserted that Eneroth describes a label having a predetermined number and identifying the item to replace the start code of the item and the end code of the item, citing columns 5 and 6 and Figures 6 and 9 of Eneroth. However, Eneroth describes that an extension bit in the fixed size length field 11 is used as a qualifier for extension of the length field 11 and this is used to indicate whether or not the length of the cell has been extended. In Figure 6 of Eneroth, a bit 13 which is labeled E

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<sup>1</sup>See the outstanding Office Action at page 20, lines 18-19.

following the length field 11 is reserved as an extension bit. When the extension bit is set to "1," this indicates that the header of the mini-cell comprises an extension field 40 of the same size as the fixed size length field. When the extension bit is set to "0," the cell header comprises the fixed length field 11 only. In no case does the extension bit of Eneroth include a label having a predetermined number of bytes, at least one byte identifying an Item, as defined in Claim 13. Thus, there is *no replacement* of start codes with *a label identifying the system item, video, audio or auxiliary data items* and there is no removal of end codes. Therefore, neither Eneroth nor Wilkinson teach or suggest "*inserting a Label in place of the start code, the label having a predetermined number of bytes, at least one byte identifying the Item*" as recited in Claim 13. Therefore, it is respectfully submitted that Claim 13 (and Claims 14 and 16-19 dependent therefrom) is patentable over Wilkinson in view of Eneroth.

Amended Claim 20 recites in part:

a format converter including a controller and a buffer,  
wherein the controller is configured to,  
*insert a Label in place of the start code, the Label  
having a predetermined number of bytes and at least one byte  
identifying the System Item and the one or more of the  
Picture Item, the Audio Item and the Auxiliary Item*, wherein  
the System item includes metadata relating to the one or more  
of the Picture, Audio and Auxiliary Items in the content  
package.

As noted above with respect to Claim 13, neither Wilkinson nor Eneroth describe inserting a label having a predetermined number of bytes, where at least one byte identifies the item. Therefore, it is respectfully submitted that Claim 20 (and Claims 21-24 dependent therefrom) is patentable over Wilkinson in view of Eneroth.

Amended Claim 26 recites in part:

a controller configured to,  
...  
*insert, for each of the System Item and the one or  
more of the Picture Item, the Audio Item and the Auxiliary  
Item, a Label in place of the start code, the Label having a*

***predetermined number of bytes and at least one byte identifying the Item.***

As noted above with respect to Claim 13, neither Wilkinson nor Eneroth describe any apparatus configured to insert a label having a predetermined number of bytes, where at least one byte identifies the item. Therefore, it is respectfully submitted that Claim 26 (and Claim 27 dependent therefrom) is patentable over Wilkinson in view of Eneroth.

With regard to the rejection of Claim 3 as unpatentable over Wilkinson in view of Mendelhall, it is noted that Claim 3 is canceled, making this rejection moot.

With regard to the rejection of Claims 22-24 as unpatentable over Wilkinson in view of Eneroth and further in view of Yamane, it is noted that Claims 22-24 are dependent from Claim 20, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Yamane does not cure any of the above-noted deficiencies of Wilkinson and Eneroth. Accordingly, it is respectfully submitted that Claims 22-24 are patentable over Wilkinson in view of Eneroth and further in view of Yamane.

With regard to the rejection of Claims 25 and 28 under 35 U.S.C. §103(a) as unpatentable over Wilkinson in view of Yamashita and Tappan, that rejection is respectfully traversed.

Amended Claim 25 recites in part:

receiving the SDTI content package file, the SDTI content package file including a Content Package having at least a System Item and one or more of a Picture Item, an Audio Item and an Auxiliary Item, the System, and ***the one or more of the Picture, Audio and Auxiliary Items each comprises a Label having a predetermined number of bytes and at least one byte identifying the Item***, a word count indicating the number of bytes of data of the Item, one or more Element data blocks, and having an Item header, preceding the element data block, indicating the number of element data blocks in the Item.

As noted above, it is respectfully submitted that Wilkinson does not teach or suggest an "SDTI content package file" as recited in amended Claim 25. Further, it is respectfully

submitted that neither Yamashita nor Tappan describe an “SDTI content package file” as recited in amended Claim 25 either. Thus, none of the cited references teach or suggest “receiving the SDTI content package file, the SDTI content package file including a Content Package having at least a System Item and one or more of a Picture Item, an Audio Item and an Auxiliary Item, the System, and ***the one or more of the Picture, Audio and Auxiliary Items each comprises a Label having a predetermined number of bytes and at least one byte identifying the Item.***”

Further, the outstanding Office Action concedes that Wilkinson and Yamashita do not disclose the feature of “inserting in place of the label.”<sup>2</sup> The outstanding Office Action relies on Tappan as describing this feature.<sup>3</sup> However, Tappan describes a system in which a label is ***added*** to an IP packet header to indicate to a router about to receive the packet, an index of a look up table which represents a desired route via which to forward the packet on. It is clear from Tappan that ***nothing*** is inserted ***in place*** of the label (IP packet header label), indeed the label (IP packet header label) ***is itself*** inserted in an IP packet header. This is discussed throughout Tappan and shown particularly in Figure 5 of Tappan. Accordingly, Tappan does not teach or suggest “inserting a start code and Item type word ***in place*** of the Label” as recited in Claim 25 or “a controller” as defined in Claim 28.

Thus, as Wilkinson, Yamashita, and Tappan do not teach or suggest each and every element of Claims 25 or 28, Claims 25 and 28 (and Claim 29 dependent therefrom) are patentable over Wilkinson in view of Yamashita and Tappan.

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<sup>2</sup>See the outstanding Office Action at page 29, line 5.

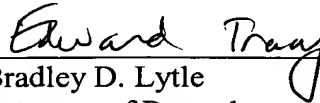
<sup>3</sup>See the outstanding Office Action at page 29, lines 6-7.

Application No. 09/706,127  
Reply to Office Action of July 25, 2006

Accordingly, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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